

**REPORT OF THE AUDIT OF THE  
CHRISTIAN COUNTY  
SHERIFF'S SETTLEMENT - 2009 TAXES**

**For The Period  
April 16, 2009 Through April 15, 2010**



**CRIT LUALLEN  
AUDITOR OF PUBLIC ACCOUNTS  
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**EXECUTIVE SUMMARY**  
**AUDIT EXAMINATION OF THE**  
**CHRISTIAN COUNTY**  
**SHERIFF'S SETTLEMENT - 2009 TAXES**

**For The Period**  
**April 16, 2009 Through April 15, 2010**

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2009 Taxes for the Christian County Sheriff for the period April 16, 2009 through April 15, 2010. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

**Financial Condition:**

The Sheriff collected taxes of \$20,268,110 for the districts for 2009 taxes, retaining commissions of \$738,544 to operate the Sheriff's office. The Sheriff distributed taxes of \$19,487,719 to the districts for 2009 taxes. Taxes of \$7 are due to the districts and refunds of \$91 are due to the Sheriff from the taxing districts.

**Report Comment:**

2009-01 The Sheriff Should Require Supporting Documentation Be Maintained For Waived Penalties and Add On Fees

**Deposits:**

The Sheriff's deposits were insured and collateralized by bank securities.



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**CRIT LUALLEN**  
**AUDITOR OF PUBLIC ACCOUNTS**

To the People of Kentucky

Honorable Steven L. Beshear, Governor

Jonathan Miller, Secretary

Finance and Administration Cabinet

Honorable Steve Tribble, Christian County Judge/Executive

Honorable Lewis Leavell, Jr., Christian County Sheriff

Members of the Christian County Fiscal Court

Independent Auditor's Report

We have audited the Christian County Sheriff's Settlement - 2009 Taxes for the period April 16, 2009 through April 15, 2010. This tax settlement is the responsibility of the Christian County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement in accordance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Christian County Sheriff's taxes charged, credited, and paid for the period April 16, 2009 through April 15, 2010, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated November 15, 2010 on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



To the People of Kentucky  
Honorable Steven L. Beshear, Governor  
Jonathan Miller, Secretary  
Finance and Administration Cabinet  
Honorable Steve Tribble, Christian County Judge/Executive  
Honorable Lewis Leavell, Jr., Christian County Sheriff  
Members of the Christian County Fiscal Court

Based on the results of our audit, we present the accompanying comment and recommendation, included herein, which discusses the following report comment:

2009-01 The Sheriff Should Require Supporting Documentation Be Maintained For Waived Penalties and Add On Fees

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a stylized, flowing script.

Crit Luallen  
Auditor of Public Accounts

November 15, 2010



CHRISTIAN COUNTY  
LEWIS LEAVELL, JR., SHERIFF  
SHERIFF'S SETTLEMENT - 2009 TAXES

For The Period April 16, 2009 Through April 15, 2010

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 3,850,293	\$ 1,180,565	\$ 8,692,687	\$ 2,885,716
Tangible Personal Property	754,176	165,947	1,067,445	1,357,136
Fire Protection	1,459			
Increases Through Exonerations	143	37	295	406
Franchise Taxes	322,309	67,558	381,420	
Additional Billings	1,425	326	2,460	1,216
Omitted L,S,&G Taxes	34	9	76	25
Gas Property Taxes	2,028	560	4,579	1,518
Oil and Gas Property Taxes	4,394	1,213	9,921	3,289
Limestone, Sand and Mineral Reserves	1,622	448	3,661	1,214
Bank Franchises	168,230			
Penalties	18,285	5,633	38,880	14,910
Adjusted to Sheriff's Receipt	45	2	10	21
Gross Chargeable to Sheriff	5,124,443	1,422,298	10,201,434	4,265,451
<u>Credits</u>				
Exonerations	7,649	2,138	17,216	5,989
Discounts	80,254	21,975	160,946	69,564
Delinquents:				
Real Estate	80,407	24,819	181,509	60,174
Tangible Personal Property	8,960	1,770	12,683	7,515
Franchise Taxes	53	11	84	
Unpaid Additional Bill	20	6	48	16
Minimum Bills	269	120	577	263
Exoneration -Gas	112	31	254	84
Total Credits	177,724	50,870	373,317	143,605
Taxes Collected	4,946,719	1,371,428	9,828,117	4,121,846
Less: Commissions *	210,236	58,286	294,844	175,178
Taxes Due	4,736,483	1,313,142	9,533,273	3,946,668
Taxes Paid	4,726,685	1,310,568	9,517,741	3,932,725
Refunds (Current and Prior Year)	9,857	2,567	15,564	13,943
Due Districts or (Refunds Due Sheriff)		**		
as of Completion of Audit	\$ (59)	\$ 7	\$ (32)	\$ 0

\* and \*\* See Next Page.

The accompanying notes are an integral part of this financial statement.

CHRISTIAN COUNTY  
LEWIS LEAVELL, JR., SHERIFF  
SHERIFF'S SETTLEMENT - 2009 TAXES  
For The Period April 16, 2009 Through April 15, 2010  
(Continued)

\* Commissions:

4.25% on	\$	10,439,993
3% on	\$	9,828,117

\*\* Special Taxing Districts:

Health District	\$	4
Extension District		3
		<hr/>
Due Districts	\$	<u>7</u>

CHRISTIAN COUNTY  
NOTES TO FINANCIAL STATEMENT

April 15, 2010

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Christian County Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

CHRISTIAN COUNTY  
NOTES TO FINANCIAL STATEMENT  
April 15, 2010  
(Continued)

Note 2. Deposits (Continued)

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The Christian County Sheriff does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of April 15, 2010, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

Note 3. Tax Collection Period

Property Taxes

The real and personal property tax assessments were levied as of January 1, 2009. Property taxes were billed to finance governmental services for the year ended June 30, 2010. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 22, 2009 through April 15, 2010.

Note 4. Interest Income

The Christian County Sheriff earned \$1,888 as interest income on 2009 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the Sheriff's office. As of November 15, 2010, the Sheriff owed \$104 in interest to his fee account.

Note 5. Sheriff's 10% Add-On Fee

The Christian County Sheriff collected \$63,206 of 10% add-on fees allowed by KRS 134.119(7). This amount was used to operate the Sheriff's office. As of November 15, 2010, the Sheriff owed \$23 in add-on fees to his fee account.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND  
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENTS  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS





**CRIT LUALLEN**  
**AUDITOR OF PUBLIC ACCOUNTS**

The Honorable Steve Tribble, Christian County Judge/Executive  
Honorable Lewis Leavell, Jr., Christian County Sheriff  
Members of the Christian County Fiscal Court

**Report On Internal Control Over Financial Reporting And On  
Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards**

We have audited the Christian County Sheriff's Settlement - 2009 Taxes for the period April 16, 2009 through April 15, 2010, and have issued our report thereon dated November 15, 2010. The Sheriff prepares his financial statement in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

**Internal Control Over Financial Reporting**

In planning and performing our audit, we considered the Christian County Sheriff's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Sheriff's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Sheriff's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.



Report On Internal Control Over Financial Reporting And On  
Compliance And Other Matters Based On An Audit Of The Financial  
Statement Performed In Accordance With Government Auditing Standards  
(Continued)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Christian County Sheriff's Settlement - 2009 Taxes for the period April 16, 2009 through April 15, 2010, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation as item 2009-01.

The Christian County Sheriff's response to the findings identified in our audit is described in the accompanying comment and recommendation. We did not audit the Sheriff's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, others within the entity, the Christian County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Crit Luallen', with a stylized, cursive script.

Crit Luallen  
Auditor of Public Accounts

November 15, 2010



COMMENT AND RECOMMENDATION



CHRISTIAN COUNTY  
LEWIS LEAVELL, JR., SHERIFF  
COMMENT AND RECOMMENDATION

For The Period April 16, 2009 Through April 15, 2010

STATE LAWS AND REGULATIONS:

2009-01 The Sheriff Should Require Supporting Documentation Be Maintained For Waived Penalties and Add On Fees

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During testing of 10% add on fees collected by the Sheriff, we noted that penalties and add on fees did not agree to amounts calculated based on gross tax collections. When we asked to see documentation of fees waived after the first week of February, we discovered that supporting documentation had not been maintained. The Department of Revenue has developed guidelines under which the penalties applied to a delinquent property tax bill may be partially or totally waived. Each Sheriff has been delegated the authority to waive penalties in accordance with the guidelines. The guidelines state, "If a penalty on a property tax bill is waived or reduced while the sheriff is the official responsible for its collection, only the sheriff or authorized deputy has to sign the form. A copy of the form can be provided to the taxpayer if it is requested and the original should remain on file in the sheriff's office." We recommend the Sheriff properly maintain documentation of penalty and add on fee waivers as prescribed by the Department of Revenue.

*Sheriff's Response: We have taken immediate steps to record supporting documentation with our tax receipts. This had not been asked for in the past audits, however we will now maintain files for our future audits.*

